



GARY R. HERBERT  
Governor

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Lieutenant Governor

# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

### Division of Oil, Gas and Mining

JOHN R. BAZA  
Division Director

March 8, 2019

Jaren Jorgensen  
Castle Valley Mining, LLC  
P.O. Box 475  
Huntington, Utah 84528

Subject: Approval to Update Appendix 1-1, Task #5873, Castle Valley Mining, LLC, Castle Valley Waste Rock Site, C/015/0036

Dear Mr. Jorgensen:

The above-referenced amendment is approved effective March 8, 2019. A stamped incorporated copy of the amendment is enclosed for your copy of the Mining and Reclamation Plan.

If you have any questions, please feel free to call me at (801) 538-5350.

Sincerely,

Steve Christensen  
Coal Program Manager

SKC/sqs  
Enclosure  
O:\015036.CVWR\WG5873 SWD\Approve.doc

# APPLICATION FOR COAL PERMIT PROCESSING

Permit Change ☒ New Permit ☐ Renewal ☐ Exploration ☐ Bond Release ☐ Transfer ☐

**Permittee:** Castle Valley Mining LLC

**Mine:** Bear Canyon Mine

**Title:** Castle Valley Mining Waste Rock Site

**Permit Number:** C/015/0025

**Description,** Include reason for application and timing required to implement:

Adding Special Warranty Deed to the Chapter 1 CVM WRS Permit

**Instructions:** If you answer yes to any of the first eight questions, this application may require Public Notice publication.

- |   |   |
|---|---|
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 1. Change in the size of the Permit Area? Acres: _____ Disturbed Area: _____ <input type="checkbox"/> increase <input type="checkbox"/> decrease. |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 2. Is the application submitted as a result of a Division Order? DO# _____  |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?                                     |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 4. Does the application include operations in hydrologic basins other than as currently approved?   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 6. Does the application require or include public notice publication?   |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 7. Does the application require or include ownership, control, right-of-entry, or compliance information?   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 9. Is the application submitted as a result of a Violation? NOV # _____   |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 10. Is the application submitted as a result of other laws or regulations or policies? _____  |

*Explain:*

- |   |  |
|---|--|
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 11. Does the application affect the surface landowner or change the post mining land use?                          |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2) |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 13. Does the application require or include collection and reporting of any baseline information?                  |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?            |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 15. Does the application require or include soil removal, storage or placement?                                    |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 16. Does the application require or include vegetation monitoring, removal or revegetation activities?             |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 17. Does the application require or include construction, modification, or removal of surface facilities?          |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 18. Does the application require or include water monitoring, sediment or drainage control measures?               |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 19. Does the application require or include certified designs, maps or calculation?                                |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 20. Does the application require or include subsidence control or monitoring?                                      |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 21. Have reclamation costs for bonding been provided?  |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?               |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 23. Does the application affect permits issued by other agencies or permits issued to other entities?              |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 24. Does the application include confidential information and is it clearly marked and separated in the plan?      |

**Please attach three (3) review copies of the application. If the mine is on or adjacent to Forest Service land please submit four (4) copies, thank you.** (These numbers include a copy for the Price Field Office)

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

Jaren Jorgensen

Engineer

03/05/2019

Print Name

Position

Date

Signature (Right-click above choose certify then have notary sign below)

Subscribed and sworn to before me this 5<sup>th</sup> day of March, 2019

Notary Public: Miranda Lofley, state of Utah.

My commission Expires: 03-26-2022

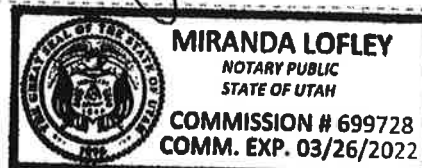
Commission Number: 699728

Address: 305 E Main

City: Almo

State: UT

Zip: 84521



**For Office Use Only:**

**Assigned Tracking  
Number:**

**Received by Oil, Gas & Mining**

# APPLICATION FOR COAL PERMIT PROCESSING

**Permittee:** Castle Valley Mining LLC

**Mine:** Bear Canyon Mine

**Title:** Castle Valley Mining Waste Rock Site

Permit Number: C/015/0025

Provide a detailed listing of all changes to the Mining and Reclamation Plan, which is required as a result of this proposed permit application. Individually list all maps and drawings that are added, replaced, or removed from the plan. Include changes to the table of contents, section of the plan, or other information as needed to specifically locate, identify and revise the existing Mining and Reclamation Plan. Include page, section and drawing number as part of the description.

### DESCRIPTION OF MAP, TEXT, OR MATERIAL TO BE CHANGED

[illegible]

**Any other specific or special instruction required for insertion of this proposal into the Mining and Reclamation Plan.**

Received by Oil, Gas &amp; Mining

RECORDING REQUESTED BY AND  
WHEN RECORDED RETURN TO:

Castle Valley Mining, LLC  
424 Lewis Hargett Circle, Suite 250  
Lexington, KY 40503  
Attn: General Counsel

(Space Above For Recorder's Use)

### SPECIAL WARRANTY DEED

#### Waste Rock Site Parcel

PACIFICORP, an Oregon corporation, having a mailing address of 1407 W. North Temple, Salt Lake City, Utah 84116, as "**Grantor**", hereby conveys and warrants, against all those claiming by, through or under Grantor, but not otherwise, to CASTLE VALLEY MINING LLC, a Delaware limited liability company, having a mailing address of 424 Lewis Hargett Circle, Suite 250, Lexington, Kentucky 40503, as "**Grantee**," for the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, that certain parcel of real property located in Emery County, State of Utah, together with any and all interests, rights and appurtenances thereto, as well as any and all improvements thereon (if any), as more particularly described in Exhibit A attached hereto (described hereinafter as the "**Real Property**").

Subject to: (i) any state of facts that an accurate and complete ALTA/ACSM Land Title Survey might disclose, (ii) all zoning regulations, restrictions, rules and ordinances, land use regulations, building restrictions, and other laws and regulations now in effect or hereafter adopted by any governmental authority having jurisdiction, and (iii) reservations, easements, rights-of-way, declarations, covenants, conditions, restrictions, encroachments, liens, and encumbrances and all other matters of record or enforceable at law or in equity.

IN WITNESS WHEREOF, the said Grantor has executed this Special Warranty Deed as of this 20<sup>th</sup> day of November, 2018.

PACIFICORP,  
an Oregon corporation

INCORPORATED

MAR 08 2019



By: DANA M. RALSTON

Its: SUP THERMAL GEN + MENDING

STATE OF UTAH                    )  
  :SS  
COUNTY OF SALT LAKE    )

The forgoing instrument was acknowledged before me this 20<sup>th</sup> day of November, 2018, by Dana Kalston, the Senior Vice President of PACIFICORP, an Oregon corporation.

Witness my hand and official seal.

Candace Dixon  
Notary Public

My Commission expires: December 19, 2020 Residing at: \_\_\_\_\_



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Div. of Oil, Gas & Mining

## Exhibit A

### Waste Rock Site Parcel Legal Description

That certain parcel of land located in Emery County, State of Utah, as more particularly described as follows:

Beginning at the Northeast corner of Section 6, Township 17 South, Range 8 East, SLB&M, and running thence S 89°52'00" W, 1272.00 feet along Section line; thence S 00°08'00" W, 610.00 feet; thence S 83°28'43" E, 302.04 feet; thence S 72°54'35" E, 314.08 feet; thence S 63°06'41" E, 224.51 feet; thence S 48°18'17" E, 268.40 feet; thence S 20°06'29" W, 1066.85 feet; thence S 39°24'03" W, 846.37 feet, more or less to the Northerly right-of-way of SR-31; thence N 89°39'06" E, 139.42 feet along said right-of-way; thence N 43°39'42" E, 1520.19 feet; thence N 31°02'18" E, 412.96 feet; thence N 22°58'45" E, 1322.55 feet to the North line of Section 5, Township 17 South, Range 8 East, SLB&M.; thence N 89°44'10" W, 744.58 feet along Section line to the point of beginning.

Containing 49.05 acres more or less

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31  
NORTH QTR. CORNER SEC. 6  
FOUND 1976 BLM WITNESS CAP  
N 89°52' E, 0.05 CHAINS

6

SET CAP WR-1

S 00°08'00" E 610.00

SET CAP WR-2

S 83°28'43" E 302.04

SET CAP WR-3

S 72°54'35" E 314.08

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MAR U 8 2019

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